

In considering the question of whether or not a Congressional Committee should be continued, it is necessary not only to look at the official reports of that committee. It is necessary to examine the public statements of the committee's members and especially of its chairman. ~~As~~ The position of chairman of a Congressional Committee which has commanded more newspaper space than any other during the period of its existence ~~has~~ carries with it a very particular responsibility. The statements of the Chairman, whether made in the hearings, directly to the press, over the radio, or through magazine articles, carry with them for the reading public the same weighty authority--the authority of the House of Representatives.

The judicial capacity, the fairness, the accuracy, and the responsibility of the Committee Chairman must be judged as much, therefore, by his public individual utterances as by his official statements or statements by the committee, ~~where~~ where they deal with the subject-matter of the Committee's investigations. Likewise, the same characteristics in other members of the Committee must be judged also by their similar pronouncements, and by their public reaction to ~~public~~ questionable or irresponsible public statements by the Chairman.

There have been appearing in the magazine "Liberty", read by *millions* ~~100,000~~ people according to its publishers, a series of eight articles signed by Martin Dies, chairman of the House Committee to Investigate Un-American Propaganda. Three of these have appeared so far. An exhaustive study of these articles ~~would~~ along the lines I have indicated as a measure for responsibility in an important post as chairman of a House Committee, would probably take much more space than the articles themselves. The half-truths, evasions, etc., would require considerable space to show because

a huge mass of material would have to be introduced—which would necessarily have been part of such articles in the first place if ~~they~~ they were written in good faith. However, a few phases of the matters covered in these articles should be analyzed here, as a sort of "sample" of the whole thing.

At the conclusion of his second article, published in the January 20 issue of Liberty, ~~but~~ ^{which was} on the stands ten days earlier, appears a note: "Mr. (Congressman Dies) will also give in detail his own explanation of President Roosevelt's 'unprecedented blarney' at the committee." In the third article, Mr. Dies says: ". . . I was shocked and surprised when the President on the following Friday, at his press conference, accused the committee of 'following sordid procedures.'"

These are the facts:

On Wednesday, October 25, 1939, the Dies Committee released to the press a list described as including actual members of the Washington branch of the American League for Peace and ^Democracy and non-members who are ^{included} on the list of the organization. This list was elaborately broken down by ^{purported to give} agency of the Federal Government and ^{given} the name, address, title, and salary of each person listed.

Following attacks on the committee on the floor of the House for this action, Chairman Dies, on October 26, asked Attorney-General Murphy to proceed against the American League for Peace and Democracy on grounds of "flagrant violation" of the act requiring agents of foreign principals to register with the State Department.

On October 27, 1939, Congressman Dies addressing a women's club in New York City said that "the Federal administration is scared to death of us. . . ."

Continued

On October 28, President Roosevelt, at his press-conference, referred to the publication of this list by the Dies Committee as "a sordid procedure."

At 10:30 p.m., October 28, Congressman Dies made an address over the Columbia Broadcasting System in which he jointly attacked President Roosevelt and the American League for Peace and Democracy. In the official transcript of this broadcast appears the following statement:

"When a list of leaders of the German-American Bund was made public by our Committee, there was no charge of 'sordid procedure.' When a mailing list of William Dudley Falley's Silver Shirts was spread upon the record, there was no charge of 'sordid procedure.' Why then this sudden fury of attack upon the procedures of our Committee when the membership of more than five hundred officials and employees of the Federal Government in the Communist-controlled American League for Peace and Democracy is disclosed to the American People?"

It should be noted at this point that the newspapers of those dates show quite clearly that the list given them was a "membership and mailing list", and the Congressional Record as well as independent investigation by the newspapers--who nevertheless carried the list in full--show that the information in regard to addresses, salaries, and places of employment, was not obtained from the League, was highly inaccurate, and included names, addresses, and salaries of persons who were on the membership mailing list or membership list of the League.

But how about this business of the list of leaders of the German-American Bund, and the mailing list of the Silver Shirts? One would think the reference was to something that actually existed, something that actually happened. But such is not the case.

The Washington Post of October 28, 1939, carries a story which

says: "The Band leaders submitted to the Committee" a list of Band leaders. Some newspapers printed this list, which showed it to be merely a list of organizers whose occupation as such had been a matter of public record at least in their own communities. Most newspapers did not consider this "revelation" newsworthy of a listing.

The Silver Shirt story is more elaborate, and even more revealing of lack of good faith in the radio statement of Mr. Dies. The record in regard to the Silver Shirts begins on its volume 6 of the published transcript, at pp. 4181.

It shows that the Silver Shirt hearings began at the end of a 90-day investigation. Pathologist William Dudley Felley, leader of this anti-Semitic, semi-military Fascist organization, was never subpoenaed to appear before the Committee. On p. 4181, Mr. Elmer Whitley, counsel to the Committee to Investigate Un-American Activities, says: "I would like to state that numerous telegrams and letters have been addressed to Mr. William Dudley Felley, of Asheville, North Carolina, requesting that he appear as a witness." On pp. 4214-4215, Mr. Whitley places in the record a copy of a telegram dated August 19, 1939; a copy of a special delivery letter dated August 21, 1939; and a copy of a letter dated 2 August 24, 1939. It should be noted that the first of these communications inviting Felley to appear was nine days before the beginning of the hearings and 80 days after the beginning of the investigation. Mr. Felley was afforded every opportunity not to appear before the Committee. Contrast that with the extraordinary difficulty encountered by representatives of other organizations, including the American League for Peace and Democracy, in their efforts to appear before the Committee to offer rebuttal testimony in answer to smears against them headlined from coast to coast.

Beginning on p. 4207, there is testimony from Robert B. Barker, committee investigator, about shipments of printed matter from the Falley headquarters. This testimony shows that there were, for the first seven months of 1938, a total of 1,168 such shipments. On pp. 4207-4211 there are read into the record nine names of persons who got large quantities of printed matter from the Falley organization. On p. 4211 the following appears:

Mr. Barker. These are the names of some of the largest shippers that got a considerable amount of these pamphlets. Do you want the names of these people in the next record.

The Chairman. Yes.

Mr. Thomas. Before we get into that, from what you have already testified, the largest shipments have gone to the states of Oregon, California, Colorado, and Washington.

Mr. Barker. Yes.

The Chairman. I believe it is 12 o'clock. We will suspend now until 1:15.

That was the first time it looked as though some Silver Shirt name might be ^{placed in} read into the record. By 1:15 the whole matter was apparently "forgotten". So, of a list of persons who received more than 1,000 large shipments of Falley's anti-Semitic material, obviously for distribution, nine are named.

On p. 4218, however, Barker reads into the record the names of 15 persons who got "large bundles possible containing pamphlets."

Total names so far, 24 out of a probable 1,000.

On page 4218, when asked by Mr. Whitley if he had conducted an investigation of parcel post mailings, the investigator replied: "Just an estimate. It was too large to get definite information." Mr. Whitley then said: "It would have required teen much clerical work?" and the agent

replied in the affirmative. When asked to estimate it, Barker replied: "Well, it will run more than his express shipments."

Then Barker said: "The post office kept a list of all incoming and outgoing mail . . . at the request of the committee and ordered by the First Postmaster General." On p. 4219, Barker testifies about this list that it covered a period of "approximately 90 days," beginning in February 1939; that it showed Falley received and dispatched 50,000 pieces of mail; and then, when asked by Mr. Whitley: "Do you have a list of the persons to whom that outgoing mail was addressed?" the agent replied: "Not that particular list, but I have a more recent list—a watch that was kept on his mail from July 17, 1939, to August 19, 1939."

Congressman Dies then asked Barker: "In other words you have the names of people he wrote to?" Mr. Barker replied: "Yes, sir."

Then Congressman Dies asked: "And you have the names of the people who wrote him, where their names are on the outside of the envelope?" Barker said: "Yes, sir."

On p. 4220, the investigator said of this list: "This list is 35 or 40 pages long."

But the list of Falley's correspondents—not just the people to whom he wrote, but those who wrote to him, does not go into the record although it is in the Committee's possession. Not a single name goes in. The list is not numbered or marked as an exhibit.

Then Mr. Whitley said: "Mr. Chairman, do you want some of the persons to whom this outgoing mail was addressed read into the record?" the Chairman replied: "Well, I don't know. Do some of the names there connect up with the activities of the Band or any of these organizations?" And that was the end of the matter.

On p. 4260, Mr. Dies says: "I have . . ."

On page 4260, Mr. Dies says: "I have here a list of some of the people who have been writing to him (Folley), sending him communications." Then he read into the record the names of a few people publicly identified with fascist groups, and the names of several persons connected in the record with book shops.

So it is quite clear that despite the radio intimation of the distinguished chairman of the House Committee to Investigate "Un-American Activities, the mailing list" of William Dudley Folley's "Silver Shirts" was never "agreed upon the record."

Quite incidentally, and certainly not for the purpose of defending Fascist Mr. Folley, I should like to ask by what authority the privilege of communication is tampered with, and under what law any postmaster is permitted, by order of anybody, to keep a check of the names and addresses of persons writing, communicating, sending or receiving mail sent to any address? This looks very much like an obnoxious censorship which has no place in the United States at any time under our Constitution.

In Mr. Dies' second "Liberty" article, the distinguished author quotes from a letter he addressed to Mr. E.L. Oliver, of Labor's Non-Partisan League. The date of the letter is not given. It refers to charges filed by Mr. Oliver with Mr. Dies regarding one Edward Sullivan, investigator for the Dies Committee.

Mr. Dies in this letter--not published in full, incidentally-- says: "Whether there is any basis for your charges I do not know." Absolutely no reference is made in the letter, or in the article, to the fact that attached to the statement of Mr. Oliver to which this is an answer were seventeen exhibits to prove Mr. Oliver's statements. They consisted of affidavits, copies of many official records, newspaper clippings, and

photostatic copies of documents referred to in the text of the statement. None of the serious charges made by Mr. Oliver are quoted in the article. The whole matter is handled in the slightest partisan manner imaginable, and an impression is given which is entirely at variance with the facts as shown by the record.

Briefly, the charges against his investigator which Mr. Rice fails to mention, though attacking the accuser, are that Sullivan "attempted to bribe a labor representative to make false statements relative to the National Maritime Union;" offered "to sell to labor representatives information which would discredit employer representatives in a labor dispute when Sullivan was presumably representing some employer representative himself;" circulated false stories about a union organizer for the textile workers during a strike; was a labor spy and engaged in other anti-labor activity; "engaged in anti-Catholic propaganda and activities;" "engaged in a particularly vicious manner not only in anti-Semitic propaganda but in anti-Jewish activities;" participated in a "campaign of malicious attacks upon officials of the United States Government, including the President of the United States, members of the Supreme Court and Cabinet officials, with incitement to violence of the most dangerous description" in association with the notorious anti-Semite James True and others. In addition, Mr. Rice was informed of Mr. Sullivan's criminal record, which included a conviction for larceny.

All of this information Mr. Rice ignored at the time, and ignores now in his article in which he attempts to smear the opponents of his anti-labor activities by clever and conscious of vital information bearing on the subjects covered in his article. There are plenty of other discrepancies in regard to this whole Labor's Non-Partisan League episode in the "Liberty"

article, but this example in is pretty characteristic.

Even the working press gets a vicious blast in the "Liberty" series, although Mr. Dies' clipping files will certainly show him that he has received more favorable publicity per page of record than any other Congressional Committee in history--largely because of his anti-labor and press associations objectives which are fully shared by the big newspaper publishers that have fought the Newspaper Guild so bitterly. His attack on the Newspaper Guild is direct.

The third "Liberty" article begins in the following manner:

"After the campaign of ridicule against the committee had failed, administration leaders, together with radical writers, launched a campaign of abuse and misrepresentation. Columnists such as Ferguson and Allen and a number of others made many ridiculous accusations against the committee. Some of the columnists and reporters belong to the Newspaper Guild, which is affiliated with the CIO. They were opposed to the investigation before we ever began any public hearing. When the public hearings began they were unable to conceal even in that committee room their hatred of the committee. In some instances they fabricated stories which were sent over the wires. In other instances they distorted testimony.

"The majority of the reporters were fair under the circumstances, but there was a strong minority composed of Guild members and Communist sympathizers. There were also some columnists who are under obligation to the administration and are, as a matter of fact, spokesmen for it. A hostile press was the most serious handicap which we had to overcome. Fortunately, I was able to secure time over the radio and to call attention to many of the misstatements in the newspapers."

A 'hostile press' was what no one ever discerned in connection with the Dies Committee. The minority opposed to Dies was always small, and never commanded any circulation comparable in the same breath to the huge reader-figures of the Hearst papers, ^{-the Scripps word chain} the New York Times and New York Herald Tribune, New York News, New York Sun, Chicago Tribune, and other papers including all the most powerful ones in the country that have consistently supported Dies, stopping only once in a while to deplore the rather crude methods by which he reached objectives which were completely pleasing to them.

These statements in regard to the Newspaper Guild are merely further examples of Dies deliberate and systematic slanting of every action of his committee, and every independent action of his own based on the committee's work, against the labor union movement.

On page 19 of this article he says: ". . . a large section of the press was against the committee. This was due, in my judgment, to the fact that so many reporters and writers were affiliated with the Newspaper Guild, which is affiliated with the CIO."

Neither in Mr. Dies' article, nor in the record, is there any proof of this "judgment." There is, however, a considerable amount of loose testimony and uninterrupted hearsay about the working press and its union. For example, there is the case of Maurice L. Malkin.

On October 13, according to the Committee's records, Mr. Dies said to Mr. Malkin, then on the witness stand: "All right, please get down to the Newspaper Guild. Did you help you organize that movement?"

Mr. Malkin replied: "The Newspaper Guild was controlled by the Communist Party."

Malkin also said that he had participated in the Guild's

negotiations for its first contract in with the New York Post. This was immediately denied by the Newspaper Guild, which said it had no membership record of his membership or participation in any of its activities, that no one connected with the negotiations with the New York Post remembered him, and that the Post itself "denied emphatically that Malkin is or ever was" employed by that paper.

Naturally, the conclusive denials of Malkin's testimony never received the publicity of his sensational false charges, nor did the Dies Committee ever make any attempt to help publicize them. That, of course is characteristic of his its methods of obtaining headlines first, and letting the denials get back-page if any space.

The case of another famous Dies witness is recalled in the Chairman's "Liberty" articles, in which he says: "Insofar as Mrs. Perkins is concerned her file on the Bridges case reveals a failure to enforce the mandatory provisions of the law with reference to the deportation of Communist aliens."

The decision of the third trial examiner in the Bridges cases, dated December 27, 1959, and based on an exhaustive, 70,000 word analysis of the testimony, is that "the evidence does not permit the finding that Harry R. Bridges is a member of the Communist Party or is affiliated with that party."

Perhaps this discrepancy between the analysis of an impartial trial examiner, and the statement of labor-hating Congressman Dies is in ^{scrupulous} part explained by the manner in which the trial examiner examined his witnesses and their testimony.

Probably the most outstanding witness heard by Congressman Dies on

the Briggs case was Harper Knowles, who professed to represent the American Legion and the Associated Farmers, both of which organizations disowned him. Concerning Mr. Knowles, the report of Dean Landis to the Department of Labor says (page 51):

"There is abundant evidence to indicate that the work of Knowles' committee came particularly close to that of those organizations whose sole effort is to combat militant unionism. The spread of unionism was watched with concern, particularly its spread into the organized agricultural areas of the State. A close differentiation was not always made between labor agitators and those truly engaged in subversive activities. Indeed, the close alliances that existed between Knowles' committee and the powerful employer associations leads to the conclusion that Knowles, either wittingly or unwittingly, was frequently made the tool of their policies.

"Knowles' relationship to the issues presented by this proceeding is not always made clear. He was neither a candid nor a forthright witness. His memory tended too frequently to become hazy when answers might have proven to be too revealing. Recollection, even when it existed, tended at times to be suspiciously faint. Because of these tendencies it became on occasion necessary to disbelieve him and also to treat a hesitant qualified admission coming tortuously from him as far more significant than would be the case with an open witness."

That, of course, is typical of the "friendly" witnesses who appeared before the Committee to testify about labor unions, and chiefly to provide newspaper headlines about them.

A curious inconsistency is revealed in Mr. Dies' Liberty article in which he tells of his conference with representatives of the American Civil Liberties Union, Congressman Voorhis, Jerome Frank, Adolf A. Bello, in October, 1939, in regard to proposed legislation suggested by Morris Ernst counsel for the American Civil Liberties Union. In fairness I must say that to the best of my knowledge, this conference between was not authorized by the Board of the A.C.L.U., although both its counsel, Mr. Ernst and Mr. Arthur Garfield Hays, took part in it.

In its first report to Congress, on page 82 the Committee stated: "Some witnesses list this organization as communistic while others deny it is communistic." Then the Committee quotes six pages of testimony to show that the ACLU is such an organization and is "engaged in un-American Activities." On page 122 of the same document, the Committee stated: "We strongly urge that this organization (the ACLU) be investigated."

According to Roger Baldwin, director of the ACLU, in his broadcast on January 8, 1940, the ACLU was never allowed to appear before the Dies Committee and answer charges, let alone respond to an investigation by the Committee.

But here we have Mr. Dies sitting down with representatives of this to-be-investigated organization to discuss the matter "Communism and the work of the committee", and proposed legislation. As it happens, this to-be-investigated organization is not mentioned in the 1940 report of the committee.

Perhaps one answer is to be found in the fact that in making a 5,000 word report on the work of the Dies Committee, this year, the majority of the Board of the A.G.L.U. said ^{and} the principles set for immunity, mildly deplored some of Dies methods, and praised the work of his committee, saying that it be carried on, but under a different organization.

Perhaps another answer is to be found in the fact that this same Harris Rust has been in Washington within the past week working at Spear speed to win liberal support for continuation of the Dies Committee and its work.

Before we leave the question of credibility of the Chairman of the Committee as shown by his statements and articles, just one small point. Surely no one should know better than Mr. Dies the practical facts connected with the work of his committee. In "Liberty" January 20, he says that he appointed four investigators at the beginning of his investigation. On the next page, he says: "In the beginning the committee appointed six senior investigators." In Liberty, January 27 issue (already a week on the stands) he says, referring to the beginning of the Committee's investigation: ". . . one of our three investigators."

The expense accounts filed by the Committee show that to begin with the Committee had neither three nor four nor six, but five investigators. Their names (in the order in which they appear in the records of the financial clerk of the House) are: Stephen W. Birmingham, Chester Hove, Edward F. Sullivan, Edward Talty, and John G. Hetschke.

An interesting point on carefalsness and accuracy.

In his 'Liberty' article, Mr. Dies says: "we employed J.B. Matthews as director of research. This was a wise choice because Mr. Matthews has been of invaluable service to the committee."

What sort of debt is the chairman of the committee paying to Mr. Matthews by publicly coming out in support of one of the most discredited men that ever walked among the lost souls that have haunted the Dies committee room as "friendly witnesses?"

Here fill in from Matthews's book.